IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35891 of 2007(W)

PETITIONER:

V.R.ESWARADAS, AGED 46 YEARS, S/O. RAMAN, SHARANYA NIVAS, RAMACKALMETTU P.O., KARUNAPURAM VILLAGE, UDUMBANCHOLA TALUK, IDUKKI-685 552, NOW WORKING AS UPPER DIVISION CLERK, VANDANMEDU GRAMA PANCHAYAT.

BY ADV. SRI.PEEYUS A.KOTTAM
SRI.S.DILEEP (KALLAR)
SRI.NAVEEN THOMAS

RESPONDENTS:

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1. SECRETARY, LOCAL SELF DEPARTMENT, THIRUVANANTHAPURAM, PIN-695 001.

2. DIRECTOR OF PANCHAYATS, TRIVANDRUM, PIN-695 001.

3. DY. DIRECTOR, IDUKKI PANCHAYAT, PIN-685 602.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 35891 of 2007

Dated this the 5th December, 2007

J U D G M E N T

The petitioner while working as U.D Clerk was proceeded against in departmental proceedings and by Exhibit-P3 order, the Director of Panchayats had imposed a punishment of reversion to the post of L.D. Clerk for a period of three years. It is not very clear whether the petitioner had preferred an appeal against Exhibit-P3 order though there is a communication to that effect in Exhibit-P4 representation filed before the Director of Panchayats on 5.8.2006. Petitioner made a request in Exhibit P5 which is a representation before the Minister, to reconsider the "circumstances which led to illegal suspension and reversion." Obviously, the Director of Panchayats is incompetent to reconsider Exhibit-P3. As such, if petitioner was aggrieved by Exhibit-P3, he should have taken appropriate steps in relation thereto under the Kerala Civil Services (Classification, Control and Appeal) Rules, 1960. If the petitioner has already done that then it is obviously open to him to prosecute such proceedings. Without prejudice to the right of the petitioner in that regard, this writ petition is disposed of.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007